

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

FRANCIS SCHAEFFER COX,

Plaintiff,

v.

BENBELLA BOOKS, INC., at al

Defendants.

Case No: 3:18-cv-3367-B

**PLAINTIFF’S OBJECTION TO PROPOSED ORDER ON DEFENDANT BENBELLA
BOOKS, INC.’S MOTION TO SET FOR HEARING ITS MOTION TO DISMISS
PURSUANT TO TEX. CIV. PRAC. & REM. CODE § 27.001, ET SEQ.**

Plaintiff Francis Schaeffer Cox (“Cox”) Plaintiff objects to the proposed order just submitted without his consent to this honorable Court since it presumes that Tex. Civ. Prac. & Rem. Code § 27.001 is applicable to this proceeding, which Plaintiff submits it is not as a matter of law. This will be addressed in the pleadings and a cross motion for sanctions which will be filed timely. Furthermore, counsel for Defendant was advised Plaintiff’s counsel has a very heavy litigation schedule and therefore suggested that any hearing be held in May 2019. This was not disclosed to the Court in Defendant’s filing.

Dated: March 25, 2019

Respectfully submitted,

/s/ Larry Klayman

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically and served through the court's ECF system to all counsel of record or parties on March 25, 2019

/s/ Larry Klayman